

The Honorable Robert S. Lasnik

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

SUSAN PEDER, for herself and as assignee of
the CHAPTER 7 BANKRUPTCY ESTATE OF
X10 WIRELESS TECHNOLOGY, INC.

Plaintiff,

v.

SCOTTSDALE INDEMNITY COMPANY also
doing business as SCOTTSDALE INSURANCE
COMPANY, an insurer authorized by the
Washington insurance commissioner, and
FREEDOM SPECIALTY INSURANCE
COMPANY, an insurer authorized by the
Washington insurance commissioner,

Defendants.

No. 2:17-cv-01868 RSL

CLAWBACK ORDER PURSUANT TO
F.R.E. 502

~~PROPOSED~~

NOTING DATE: February 16, 2018

CLAWBACK ORDER PURSUANT TO F.R.E. 502

Federal Rule of Evidence 502(d) authorizes the Court to enter an order providing that any applicable privilege or protection is not waived by disclosure connected with the litigation pending before the court. The parties have stipulated, and good cause appearing,

IT IS HEREBY ORDERED, pursuant to Federal Rule of Evidence 502, that

CLAWBACK ORDER PURSUANT TO F.R.E. 502 - 1
Case No. 2:17-cv-01868-RSL

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1 1. The disclosure, in oral or written form, of any information which would otherwise
2 be protected by Federal Rule of Evidence 501, Federal Rule of Evidence 502, and/or any
3 privilege or other disclosure protection applicable under any state statute or law, shall not operate
4 as a waiver of the applicable privilege or the work-product protection.

5 2. Pursuant to Federal Rule of Evidence 502(d), any disclosure protected by this
6 Order also is not a waiver of the applicable privileges or work-product protection in any other
7 Federal or State proceeding.

8 3. Should counsel for any party receive a document which he or she reasonably
9 believes contains material protected by a privilege under Federal Rule of Evidence 501, Federal
10 Rule of Evidence 502 and/or any privilege or other disclosure protection applicable under any
11 state statute or law, counsel shall immediately notify counsel for the holder of the privilege and
12 shall return all copies of the document upon request, without waiving the receiving party's right
13 to seek an order from the Court that the document(s) in question are not privileged.
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16 IT IS SO ORDERED.

17 21st
18 Dated this 21st day of February, 2018.

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21 THE HONORABLE ROBERT S. LASNIK
22 UNITED STATES DISTRICT COURT JUDGE
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